

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION NO : 9727 of 2005**

Between:

K.V. Anjaneyulu, S/o. Venkateswarlu,  
The Repalle Co-Op Bank Ltd., Repalle, Guntur District.

**..... PETITIONER**

AND

- 1 The Repalle Co-Op Bank Ltd., rep. by its Chairman, Repalle, Guntur District.
- 2 The Chairman, Staff Committee, The Repalle Co-Op Bank Ltd., Repalle, Guntur District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or direction particularly in the nature of writ of mandamus declaring the inaction of the first respondent in suspending the petitioner by order dt. 05.04.2005 which is communicated to him on 23.04.2005 is arbitrary, illegal, and violation of Article 19 of Constitution of India and declare the same as illegal and set aside the same and issue a consequential direction to reinstate me forthwith.

**Counsel for the Petitioner:MR.G.ELISHA**

**Counsel for the Respondent Nos.1 and 2: None appeared**

**The Court at the admission stage made the following O R D E R:**

This writ petition is filed questioning the action of the first respondent in issuing the suspension order dated 05.04.2005.

Learned counsel for the petitioner contended that as the petitioner approached to seek redressal of his grievances before this Court, he was placed under suspension. Therefore, he prays to set aside the suspension order.

Normally this Court will not interfere with the suspension pending enquiry unless the authority who passed the order lacks jurisdiction. It is not the case of the petitioner that the authority who passed the order has no jurisdiction to place him under suspension. It is stated that with a malafide intention, the order has been passed. No doubt, one of the grounds for placing the petitioner under suspension was filing of the writ petition. If that is the only charge framed, then the contention of the petitioner can be accepted. But, six other charges are levelled against the petitioner. It is the contention of the learned counsel for the petitioner that the charges framed against him are baseless and the same have to be decided by the enquiry officer.

In this view of the matter, the charges levelled against the petitioner have to be decided by the enquiry officer and therefore, the writ petition is devoid of merits and is dismissed. No costs.

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(K.C.BHANU,J)

Dt:27<sup>th</sup> April, 2005

usd

To

- 1 The Repalle Co-Op Bank Ltd., rep. by its Chairman, Repalle, Guntur District.
- 2 The Chairman, Staff Committee, The Repalle Co-Op Bank Ltd., Repalle, Guntur District.
- 3. Two CD copies.
- 4.